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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,575	08/08/2005	Eric J. Baculy	BAC02 P-305	6546
277 7590 08/31/2007 PRICE HENEVELD COOPER DEWITT & LITTON, LLP 695 KENMOOR, S.E. P O BOX 2567 GRAND RAPIDS, MI 49501			EXAMINER KOVACS, ARPAD F	
			ART UNIT 3671	PAPER NUMBER
			MAIL DATE 08/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/524,575

Applicant(s)

BACULY, ERIC J.

Examiner

Árpád Fábián Kovács

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 1-3, 5-8, and new claim 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Wiley (part of record, '147).

cl. 1, 9: quick change mechanism (10) comprising: a shaft (22), tool implement (blade 18), stabilizing washer (44), threaded fastener (46), capable of passing through the hole of the blade as shown in fig 7;

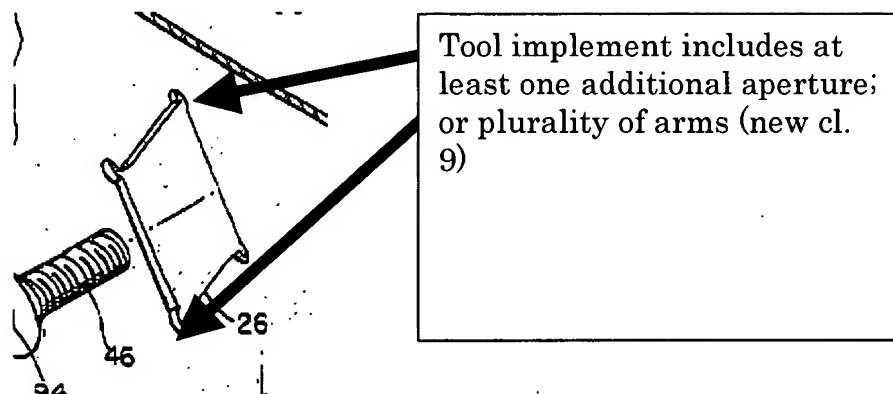
cl. 2: the washer has a non-circular profile & the blade includes an aperture;

cl. 3: the washer has a central hub & arms (fig 6);

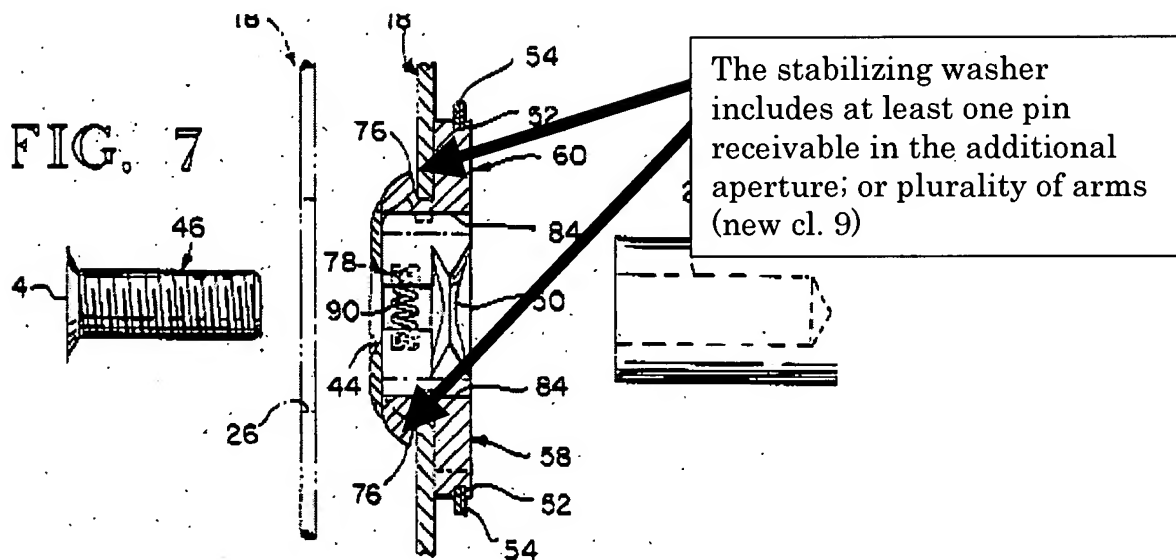
cl. 5: the shaft is internally threaded bore (fig 7-8);

cl. 6-7: implement being saw blade / lawnmower blade (note: no additional elements recited to prevent the blade 18 to be used as lawnmower blade);

cl. 8: at least 2 apertures shown & at least one pin:



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2. Claims 1-4, 6-8, and new claim 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Tygh, JR (part of record, '824).

cl. 1, 9: quick change mechanism (fig 2-5) comprising: a shaft (50), tool implement (blade 10), stabilizing washer (adapter 34), threaded fastener (62), capable of passing through the hole of the blade as shown in fig 5, i.e. when ref 40 & 28 are lined up;

cl. 2: the washer has a non-circular profile & the blade includes an aperture (fig 1, 2);

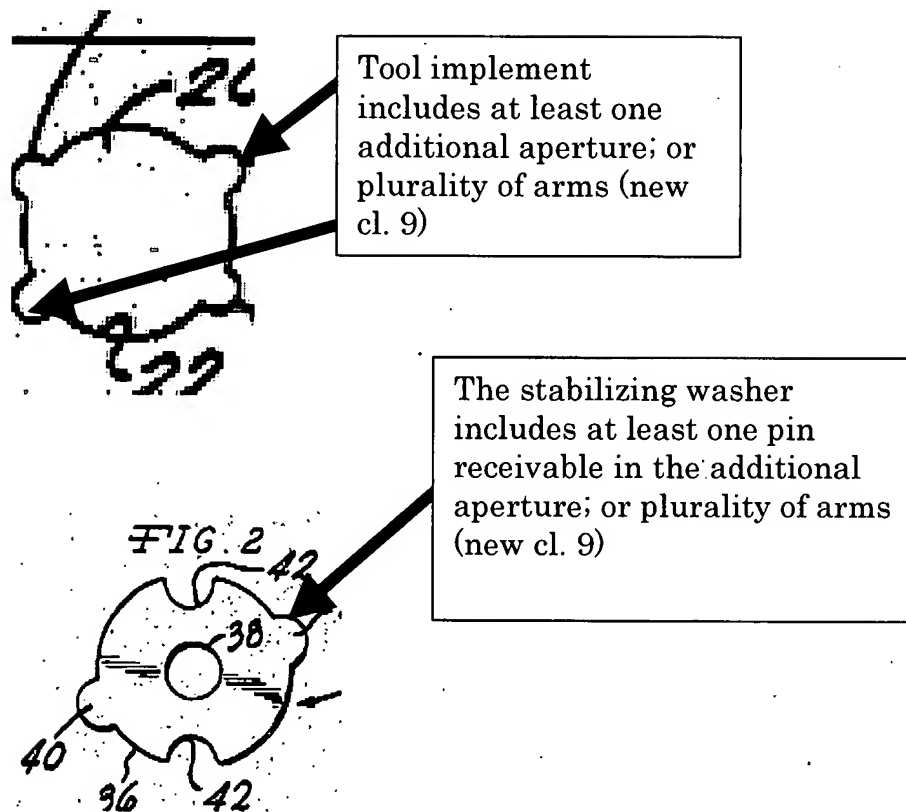
cl. 3: the washer has a central hub & arms (fig 2);

cl. 4: the shaft is externally threaded bore (fig 4);

cl. 6-7: implement being saw blade / lawnmower blade (note: no additional elements recited to prevent the blade 18 to be used as a saw blade);

cl. 8: at least 2 apertures shown & at least one pin:

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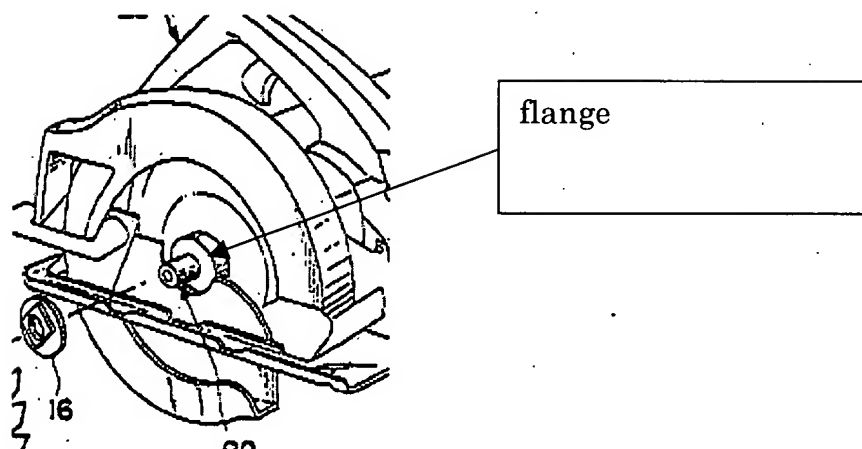
Response to Arguments

3. Applicant's arguments filed 8/15/2007 have been fully considered but they are not persuasive.

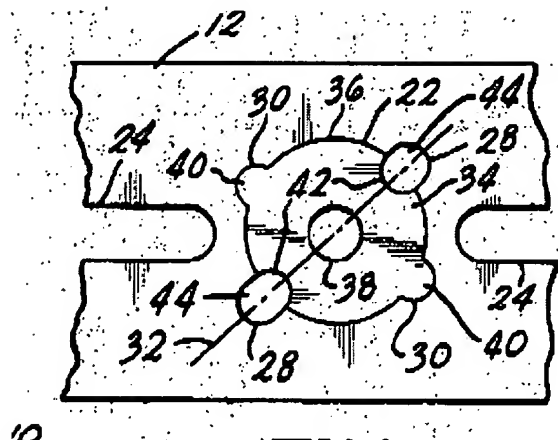
Applicant's amendment of claim 8 and addition of new claim 9 is noted, and a rejection is outlined above respectively.

The following response & explanation considered part of the rejection for purposes of any future prosecution.

Applicant argued that Wiley does not show a flange. It is not correct. Wiley improves upon the quick connector, therefore the prior art shaft is relevant and not shown with the improved invention detailed esp. in fig. 7 & 8. Therefore the flange considered in the rejection is as shown below:



In response to applicant's argument that the washer of Tygh is a pressure washer, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion and/or teaching of the prior art cannot be the basis for patentability. As Thygh shows below, the washer 34 when turned would not pass through aperture 28, and vice versa, when the arms 40 aligned with ref 28 it would pass through, therefore loosening fastener 62 on the shaft 58 would allow the washer 34 to pass through the tool implement without removing from the shaft the washer & fastener. The claim does not exclude other elements that may be shown by Thygh. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).



Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form 892.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Árpád Fábián Kovács whose telephone number is 571 272 6990. The examiner can normally be reached on Mo-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571 272 6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Arpad F Kovacs/
Árpád Fábián Kovács
Primary Examiner
Art Unit 3671

AFK